

REMARKS

Applicants appreciate the Examiner's allowance of Claims 1, 2, 4 and 9-17.

Claim Rejections - 35 USC §112

In the Office Action, the Examiner rejects Claim 3 under 35 USC §112, second paragraph, as being indefinite. In particular, the Examiner notes that the claim indicates that in the formula X and Y each is represented by either one of formulas (7)-(8), but claim 3 sets forth formulas (7)-(9).

In order to advance the prosecution of this application and clarify the claim, Applicants are amending Claim 3 to change "wherein in the formula, X and Y each is represented by either one of formulas (7) - (8)" to "wherein in the formula, X and Y each is represented by either one of formulas (7)-(9)." It is respectfully submitted that this amendment overcomes the Examiner's objection, and the claim is not indefinite.

Accordingly, it is respectfully requested that this rejection be withdrawn, and Claim 3 allowed.

Election/Restrictions

In the Office Action, the Examiner states that upon allowance, the restriction requirement of Claims 5-7 may be withdrawn and these claims rejoined.

Applicants respectfully request that the Examiner reconsider this restriction, and that Claims 5-7 be rejoined and allowed in this application. Favorable consideration is earnestly solicited.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment and/or the extension of time, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Date: February 17, 2009

Respectfully submitted,

/Mark J. Murphy/
Mark J. Murphy
Registration No. 34,225

COOK ALEX LTD.
200 West Adams Street
Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Customer No. 26568